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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,375	07/13/2005	Jani Vare	006136.00005	3973
22907	7590	04/17/2008		
BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER CHOKSHI, PINKAL R	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 04/17/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/509,375	<b>Applicant(s)</b> VARE ET AL.	
	<b>Examiner</b> Pinkal Chokshi	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/5/08</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claim 41** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 above. Claim 41 is claiming a program and program itself cannot be patented.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-14, 16, 19-23, 25 and 27-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over EP Patent EP 0917355 A1 to Szucs et al (hereafter referenced as Szucs) in view of US Patent 6,401,242 B1 to Eyer et al (hereafter referenced as Eyer).

Regarding **claim 1**, “a method for announcing transport streams that a digital broadcast network is adapted to transmit” reads on the distribution of

MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1

As to “the method comprising the steps of: establishing at least one service information table for enabling a end user terminal to obtain the transport streams” Szucs discloses (§0003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except “splitting the at least one service information table into sub-tables, wherein each sub-table identifies a certain transport stream.” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to “establishing a mother table for maintaining a sub-table of the certain transport stream and sub-tables of adjacent transport streams of the certain transport stream” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 2**, “a method wherein the sub-table comprises a for loop of the at least one service information table” Szucs discloses (¶0024) that the service description table includes a service loop.

Regarding **claim 3**, “a method wherein the for loop comprises a section of the at least one service information table” Szucs discloses (¶0024) that the event loop comprises event 1 and event 2 which is part of service description table.

Regarding **claim 4**, “a method wherein the for loop comprises a cycle of for loops of the at least one service information table” Szucs discloses (¶0024) that the event loop comprises a checksum of a cyclic redundancy check CRC.

Regarding **claim 5**, “a method wherein the for loop comprises a transport stream identifier for uniquely identifying the certain transport stream of the sub-table” Szucs discloses (¶0024) that the newly generated transport stream includes newly generated section header data, to identify the stream, and newly generated transmission information loop.

Regarding **claim 6**, Szucs meets all the limitation of the claim except “a method wherein at least one headend equipment for a cell of the digital broadcast network performs the step of splitting.” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local

program information from headend that filters out the channels maps data from local and global program information. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 7**, “a method wherein an operator runs the at least one headend” Szucs discloses (§0012) that the receiver receives information from broadcast medium such as headend as represented in Fig. 13 (element 5).

Regarding **claim 8**, “a method wherein at least one the service information table comprises a Bouquet Association Table” Szucs discloses (§0019) that the transport stream analyzer analyzes program association table which is a part of service information.

Regarding **claim 9**, “a method further comprising building a local table based on the sub-table of the certain transport stream” Eyer discloses (col.4, lines 42-50) that based on the program identifier, channel map data are created in form of the look up table for programming services. In addition, same motivation is used as to reject claim 1.

Regarding **claim 10**, "a method wherein the mother table identifies an amount of the sub-tables" Eyer discloses (col.4, lines 11-16) that data bundles includes non-region specific EPG data and region specific EPG data as represented in Fig. 4 (elements 400, 405, 410, 415). In addition, same motivation is used as to reject claim 1.

Regarding **claim 11**, "a method wherein the mother table identifies an updating of the sub-table" Eyer discloses (col.19, line 66-col.20, line 2; col.20, lines 44-45) that the EPG translator constructs and updates bundled data based on filtering source data that determines which sources are to be included in bundle. In addition, same motivation is used as to reject claim 1.

Regarding **claim 12**, "a method further comprising the step of updating the adjacent transport streams periodically about the sub-table" Eyer discloses (col.20, lines 44-47) that the programs are updated on bundles. When a program is added or deleted from a neighbor or regional source, bundle for that specific region is updated. In addition, same motivation is used as to reject claim 1.

Regarding **claim 13**, "a method further comprising the step of re-transmitting the sub-table to the adjacent transport streams" Eyer discloses (col.20, lines 54-64) that the tables from region one and two are transmitted and

combined together to carry the schedules/listings. In addition, same motivation is used as to reject claim 1.

Regarding **claim 14**, "a method wherein the step of re-transmitting comprises individual re-transmitting" Eyer discloses (col.21, lines 8-12) that when a new data bundle transmitted, it's added to the bundle memory. In addition, same motivation is used as to reject claim 1.

Regarding **claim 16**, "a method wherein the sub-table is adapted to be retransmitted without any further modification of the sub-table" Szucs discloses (§0028) that when streams are being passed onto network, the program map table is also being transmitted through without any modification.

Regarding **claim 19**, "a method wherein the certain transport stream comprises a local transport stream of a cell of the digital broadcast network" Eyer discloses (col.4, lines 11-15) that the programming data is broadcasted in data bundles where one data bundle comprises region-specific (local) programming data. In addition, same motivation is used as to reject claim 1.

Regarding **claim 20**, "a method wherein the transport streams comprise MPEG transport streams" Szucs discloses (§0001) that the method distributes MPEG-2 transport streams on a network.



Regarding **claim 21**, “a method wherein the transport stream comprises transmission according to Digital Video Broadcasting” Szucs discloses (§0003) that the tuner in television set receives Digital video broadcasting (DVB) services.

Regarding **claim 22**, “a method wherein the transport stream comprises a terrestrial digital video broadcasting (DVB-T)” Szucs discloses (§0028) that the transport streams carried by the broadcasting medium is terrestrial.

Regarding **claim 23**, “a method wherein the transport stream comprises multicast” Eyer discloses (col.5, lines 4-5) that the channel map data is multicast addressed to decoders. In addition, same motivation is used as to reject claim 1.

Regarding **claim 25**, “a method for obtaining a service within broadcast transport streams” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1

As to “the method comprising: establishing service information for enabling at least one end user terminal to obtain a sub-table of the service information” Szucs discloses (§0003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except “the service information is adapted to be split into sub-tables” However, Eyer discloses (col.6, lines 1-12)

that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to “based on the sub-table, establishing a local table announcing at least one local transport stream containing the service, wherein the local table is adapted to be delivered to the at least one end user terminal and the local table is adapted to identify the at least one local transport stream for an announcement to adjacent transport streams” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 27**, “a method for announcing a service delivered within a transport stream of a cell that a broadcast network is adapted to transmit” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1

As to “the method comprising: establishing service information for guiding a end user terminal to discover transport streams” Szucs discloses (§10003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except “splitting the service information into sub-tables, wherein each sub-table identifies the transport stream of the cell, and the transport stream of the cell contains identification of transport streams of neighbouring cells of the transport stream” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 28**, “a method for receiving a transport stream that a digital broadcast network is adapted to transmit” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1.

As to “the method comprising the steps of: receiving a broadcast transmission” Szucs discloses (§10001) that the system receives MPEG-2 transport streams on a network.

Szucs meets all the limitations of the claim except “means for discovering a mother table from the broadcast transmission, the mother table announcing a

set of sub-tables each sub-table identifying a local transport stream, wherein the transport streams indicated in the mother table comprise adjacent transport streams to each other.” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 29**, “a end user terminal for obtaining a transport stream that a digital broadcast network is adapted to transmit” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1.

As to “the receiver comprising: means for receiving a broadcast transmission” Szucs discloses (§10001) that the system receives MPEG-2 transport streams on a network.

Szucs meets all the limitations of the claim except “means for discovering a mother table from the broadcast transmission, the mother table announcing a set of sub-tables each sub-table identifying a local transport stream, wherein the transport streams indicated in the mother table comprise adjacent transport

streams to each other.” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Regarding **claim 30**, “a end user terminal further comprising means for interaction with a service provider providing the transport stream” Eyer discloses (col.4, lines 64-68) that the channel map data table received from broadcast network provider is provided to receiver and receiver communicate with head-end by entering a channel number. In addition, same motivation is used to reject claim 29.

4. **Claims 15, 17, 18, 26, 31-36 and 38-40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Szucs et al in view of Eyer et al as applied to claims 1-14 above, and further in view of US Patent 5,671,219 to Jensen et al (hereafter referenced as Jensen).

Regarding **claim 15**, combination of Szucs and Eyer meets all the limitations of the claim except “a method wherein the step of re-transmitting

comprises periodic re-transmitting.” However, Jensen discloses (col.13, lines 45-50) that each user station periodically receives air channel in sequence.

Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to transmit stream/channel periodically as taught by Jensen in order to maintain or establish communication path between user device and cell/tower (col.1, lines 25-26).

Regarding **claim 17**, combination of Szucs and Eyer meets all the limitations of the claim except “a method further comprising the step of performing a handover function for the transport streams when a mobile end user terminal is moving from a cell of the certain transport stream to any adjacent transport stream.” However, Jensen discloses (col.5, lines 54-58) that end user device is passed to and from the base stations as represented in Fig. 1A. In addition, same motivation is used as to reject claim 15.

Regarding **claim 18**, combination of Szucs and Eyer meets all the limitations of the claim except “a method further comprising the step of performing a roaming function for the transport streams when a mobile end user terminal is moving from a cell of the certain transport stream to any adjacent transport stream.” However, Jensen discloses (col.5, lines 54-58) that when end user device goes from one place to another, it is passed to and from the base

stations to maintain communication as represented in Fig. 1A. In addition, same motivation is used as to reject claim 15.

Regarding **claim 26**, “a method for advertising a local transport stream which is adapted to be transmitted within a broadcast transmission network” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1.

As to “the method comprising the steps of: establishing service information tables for enabling a end user terminal to obtain transport streams” Szucs discloses (§0003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except “splitting a certain service information table into sub-tables” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to “wherein each sub-table identifies coincident local transport stream, and the coincident local transport stream contains identification of adjacent transport streams of the coincident local transport stream” Eyer discloses (col.6, lines 19-22) that based on the EPG data, global programming service data and channel map data tables, video signal is created and transmitted to the receiver. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table

for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Combination of Szucs and Eyer meets all the limitations of the claim except "distributing the sub-tables to an adjacent service provider of the coincident local transport stream." However, Jensen discloses (col.5, lines 54-58) that the channel map tables created for end user device is passed to and from the base stations as represented in Fig. 1A. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to transmit stream/channel periodically as taught by Jensen in order to maintain or establish communication path between user device and cell/tower (col.1, lines 25-26).

Regarding **claim 31**, combination of Szucs and Eyer meets all the limitations of the claim except "a end user terminal wherein the receiver comprises a wireless receiver for receiving the transport stream." However, Jensen discloses (col.1, lines 47-60) that the method provides program channel data to a wireless phone in a mobile telephone system. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use wireless device to receive transport stream as taught by Jensen in order to establish communication paths between cellular device and cell network in as many communication environments as possible (col.1, lines 35-36).



Regarding **claim 32**, “a end user terminal according to claim 29, wherein the end user terminal comprises a broadcast cellular mobile end user terminal” Jensen discloses (col.1, lines 50-54) that the invention is used with the mobile or cellular phone system. In addition, same motivation is used as to reject claim 31.

Regarding **claim 33**, “a system for delivering broadcast transport streams delivering services” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1.

As to “at least one end user terminal for obtaining the broadcast transport streams” Szucs discloses (¶0015) that the DVB tuner device receives transport stream.

Szucs meets all the limitations of the claim except “the system comprising: headends for splitting a service information table into sub-tables” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to “establishing a mother table, wherein each sub-table identifies a transport stream of a coincident headend, and wherein the mother table identifies the transport stream of the coincident headend and transport streams of adjacent headends to the coincident headend” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data received from head-end. Therefore, it would have been obvious to one of

ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Combination of Szucs and Eyer meets all the limitations of the claim except “where sub-table identifies transport stream of a head-end.” However, Jensen discloses (col.3, lines 31-33, 42-50) that the geographical locations are divided into a plurality of different cells. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use head-end as cell area as taught by Jensen in order to establish communication paths between cellular device and cell network in as many communication environments as possible (col.1, lines 35-36).

Regarding **claim 34**, “a system wherein the broadcast transport streams comprises transmission according to Digital Video Broadcasting (DVB)” Szucs discloses (¶0003) that the tuner in television set receives Digital video broadcasting (DVB) services.

Regarding **claim 35**, “a system wherein the broadcast transport streams comprises a terrestrial digital video broadcasting (DVB-T)” Szucs discloses

(¶0028) that the transport streams carried by the broadcasting medium is terrestrial.

Regarding **claim 36**, “a system wherein the broadcast transport stream comprises multicast” Eyer discloses (col.5, lines 4-5) that the channel map data is multicast addressed to decoders. In addition, same motivation is used as to reject claim 33.

Regarding **claim 38**, combination of Szucs and Eyer meets all the limitations of the claim except “a system according to claim 33, wherein the at least one end user terminal comprises a wireless broadcast receiver.” However, Jensen discloses (col.1, lines 47-60) that the method provides program channel data to a wireless phone in a mobile telephone system. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use wireless device to receive transport stream as taught by Jensen in order to establish communication paths between cellular device and cell network in as many communication environments as possible (col.1, lines 35-36).

Regarding **claim 39**, “a system wherein the headends comprise cells of a cellular broadcast network and the at least one end user terminal comprise a mobile cellular digital broadcast end user terminal” Jensen discloses (col.3, lines 31-33, 42-50) that the channels provided to geographical locations from head-

end are divided into a plurality of different cells. Jensen further discloses (col.1, lines 50-54) that the invention is used with the mobile or cellular phone system. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use head-end as cell area as taught by Jensen in order to establish communication paths between cellular device and cell network in as many communication environments as possible (col.1, lines 35-36).

Regarding **claim 40**, “a transmitter for delivering broadcast transport streams delivering services” reads on the distribution of MPEG-2 transport streams based home network (abstract) disclosed by Szucs and represented in Fig. 1.

As to “the transmitter comprising: means for establishing at least one service information table for enabling a end user terminal to obtain the transport streams” Szucs discloses (§10003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except “means for splitting the at least one service information table into sub-tables” However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to “for establishing a mother table, wherein each sub-table identifies a transport stream of a coincident headend, and wherein the mother table identifies the transport stream of the coincident headend and

transport streams of adjacent headends to the coincident headend” Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data received from head-end. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Combination of Szucs and Eyer meets all the limitations of the claim except “where sub-table identifies transport stream of a head-end.” However, Jensen discloses (col.3, lines 31-33, 42-50) that the geographical locations are divided into a plurality of different cells. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use head-end as cell area as taught by Jensen in order to establish communication paths between cellular device and cell network in as many communication environments as possible (col.1, lines 35-36).

5. **Claims 24, 37 and 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Szucs et al in view of Eyer et al as applied to claims 1-14 above, and further in view of Jensen et al, and further in view of US Patent 6,965,770 B2 to Walsh et al (hereafter referenced as Walsh).

Regarding **claim 24**, combination of Szucs and Eyer meets all the limitations of the claim except “a method wherein the transport stream comprises unicast.” However, Walsh discloses (col.3, line 7-9 and abstract) that the unicast network is used for transmitting content to end user terminal. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use streams with unicast as taught by Walsh in order to universally routed data across the Network which allows Network to run between two known endpoints.

Regarding **claim 37**, combination of Szucs, Eyer and Jensen meets all the limitations of the claim except “a system wherein the broadcast transport stream comprises unicast.” However, Walsh discloses (col.3, line 7-9 and abstract) that the unicast network is used for transmitting content to end user terminal. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to use streams with unicast as taught by Walsh in order to universally routed data across the Network which allows Network to run between two known endpoints.

Regarding **claim 41**, the office assumes program recorded on a storage medium of a computer. As to “the system to establish at least one service information table for enabling a end user terminal to obtain the transport streams” Szucs discloses (§0003) that the transport streams provided to receiver includes full service information.

Szucs meets all the limitations of the claim except "the system to split the at least one service information table into sub-tables wherein each sub-table identifies a certain transport stream." However, Eyer discloses (col.6, lines 1-12) that the satellite receiver receives all the global and local program information and filters out the channels maps data from local and global program information. As to "the system to establish a mother table for maintaining a sub-table of the certain transport stream and sub-tables of adjacent transport streams of the certain transport stream" Eyer discloses (col.6, lines 19-22) that the video signal is created and sent to receiver based on the EPG data, global programming service data and channel map data. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to splits channel data into sub tables and create main table for related channels as taught by Eyer in order to allow the communication of scheduling information for television programming and also to be economical in terms of communication bandwidth (col.2, lines 61-62).

Combination of Szucs and Eyer meets all the limitations of the claim except "a computer program product comprising a program of instructions executable by a computing system for processing an announcement of transport streams that a digital broadcast network is adapted to transmit, the computer program product comprising: computer program code for causing the above mentioned step." However, Walsh discloses (col.2, lines 27-36) that the content device includes a memory for storing computer readable instructions that

executed by processor on the computer device. Therefore, it would have been obvious to one ordinary skills in the art at the time of the invention to write and execute a program on computer medium as taught by Walsh in order to efficiently use the computer program to do the above-mentioned operations and also it would have yielded a predictable result to one ordinary skilled in the art.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pinkal Chokshi whose telephone number is 571-270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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/PRC/

/Brian T. Pendleton/

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